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NEVADA STATE BARBER'S HEALTH and SANITATION BOARD



Minutes – May 7, 2023 – Regular Business Meeting

President Toby Chavez called the meeting to order on Sunday, May 7, 2023, the time was 1:00 P.M. at the Masterpiece Barber School, located at 3510 East Bonanza Road, Suite 150, Las Vegas, Nevada.

Ms. Maestas checked in on individuals on teleconference to make sure everyone could hear fine. Mr. Toby Chavez was on teleconference today because he tested positive for Covid. Mr. Michael Attard attended the meeting via teleconference.

Board members present were President Toby Chavez via teleconference, Vice President Joseph Foley, Mr. Royal Byron, Secretary/Treasurer Antinette Maestas.

Deputy Attorney General Chricy Harris was present.

Public comment – There was no public comment.

Mr. Foley made a motion to approve the agenda and Mr. Azzam seconded. All in were in favor. Motion passed.

Mr. Foley made a motion to approve the minutes for the February 5, 2023, February 15, 2023 and April 23, 2023 meetings. Mr. Azzam seconded the motion and all was in favor.

Mr. Foley made a motion to approve the financial report of the 2nd quarter report 2023/2024. Mr. Azzam seconded the motion and all was in favor.

Officers Report –

No reports.

Old Business –

There is no old business.

New Business

Ms. Maestas was asked by President Chavez to please swear in anyone scheduled for a hearing today. All individuals were sworn in.

Michael Attard hearing – Mr. Attard came before the Board to be able to attend Barber School. He has a felony on his record. The felony was in July 2011. He was charged with level 3 trafficking. He served 12 years in prison. He is employed at this time. He is housed at a re entry program. He starts parole for about a year and half on June 29, 2023. He was drug tested about 3 days ago. After reviewing his paperwork, Mr. Foley made a motion to allow Mr. Attard to attend school. Mr. Azzam seconded the motion and all was in favor. Mr. Attard must forward the drug tests to the Board.

Christopher Ozene – Mr. Attard came before the Board to be able to be licensed by Endorsement. He has a felony on his record. The felony was in 1998-2003 the felony was a drug conspiracy. He has been pardoned from the State in 2003. After reviewing his paperwork, Mr. Foley made a motion to allow Mr. Ozene to apply for license by Endorsement. Mr. Azzam seconded the motion and all was in favor.

Gian Alberto – Mr. Alberto came before the Board for an extension on barber school. Mr. Alberto started school on January 19, 2022 as of January 18, 2023 he had 1383.43 hours. He had transportation and financial issues. Mr. Foley made a motion to grant him a 6 month extension, he must be done by November 7, 2023. Mr. Azzam seconded the motion, motion passed.

Gabriel Valadez – Mr. Valadez came before the Board for an extension on barber school. Mr. Valadez started school on September 29, 2021 and as of August 23, 2022 he had 1022.49 hours there are no time card after August 2022 until present. He stated he could not attend school in June until the hearing on the school was done. Ms. Maestas stated that if he didn't attend school in June why were there timecards. Mr. Byron stated that the school was shut down and DAG Harris stated that at no time was the school shut down. DAG Harris asked why he could not attend school. Mr. Valadez stated that due to financial issues he could not attend school. Mr. Foley made a motion to grant an extension for 8 months. Mr. Azzam seconded, Motion Passed.

Alejandro Arpero – Mr. Arpero came before the Board because he needs an extension to finish barber school. He started school on January 12, 2022 and as of December 17, 2022 he had 1525 hours. He is not done with his services and needs time to pay off the balance to the school. Mr. Foley made a motion to grant him a 6 month extension, Mr. Azzam seconded the motion. Motion Passed.

Edreiner Ballano – Mr. Ballano came before the Board because he needs an extension to finish school. He started school on February 3, 2022 and as of January 19, 2023 he has 1332.06 hours. He stated he was being irresponsible and had to move. Mr. Foley made a motion to grant a 6 month extension and Mr. Azzam seconded the motion. Motion Passed.

Oscar Velazquez - Mr. Velazquez came before the board to ask if he could bank his hours while attending school at Expertise . He started barber school on 5/31/22 and withdrew on 8/12/22 with 179 hours. He enrolled in Cosmetology school, and he is attending Cosmetology school now. When he finishes Cosmetology school, he wants to start the barber school. This is his second appeal, he came before the board in December but it was teleconference. He wanted to come in person. Mr. Byron states that there were 2 other individuals that hours were released for them. After much discussion. Mr. Byron made a motion to continue this agenda item on the next board meeting which would be August 6, 2023. Mr. Chavez called for a second, and there was no second. Motion failed. Mr. Foley made a motion that Mr. Velazquez with proof that he started the Cosmetology program at 0 hours he would receive a extension to start Barber School by October 2023. Mr. Azzam seconded the motion and Mr. Byron opposed. Motion passed.

Jade Williams – Ms. Williams was terminated from Original Barber School with 712 hours. She was terminated because she was doing her own hair. She made a statement to Carl Littles and said she was joking. Mr. Littles told her to get to the classroom. Ms. Williams told him to hurry up because this is her beauty hour. Mr. Littles told her to leave and she asked why. The police were called. Ms. Williams states that she had paid her school off. She is requesting a transfer. Ms. Maestas states there is a representative from the school, Ms. Marjorie Mickens. Ms. Mickens stated that she had paid her school in full with a credit card and then the credit card company sent a letter that Ms. Williams had disputed the charges and the money was pulled from the school's account. The school has documentation of Ms. Williams signing documents showing she understood all the refund policies. Ms. Williams stated that her Attorney advised her to dispute the charges. Ms. Williams told the credit card company that the school rendered services and she is disputing the charges on the credit card. Ms. Mickens confirmed that on April 12, 2023 the money was taken out of the school's account. Dag Harris asked if both parties are open to reconvening the education. Ms. Mickens stated that she was not at liberty to make that call. Ms. Williams does not think that would work because at the end of the day the school kicked her out. Mr. Chavez states that the board does not get into contracts. He feels that the parties should work out the money issue and then come back to the board for the hours. DAG Harris stated that because it is in dispute of how much money was paid and how much money is owned. It may be in the best interest to come back to the board when then is figured out. Mr. Azzam states he does not think it is fair if she wants to enroll in another school tomorrow she should be able to. Mr. Byron made a motion to release her 712 hours and the parties can work out the money issue. Mr. Azzam seconded the motion. Mr. Chavez had a question of is there proof that the school was paid for the 712 hours. DAG Harris stated that the Board has the option to table this until further documents are produced. DAG Harris read the request of her petition, Ms. Williams stated in her petition, that she would like to continue her education at the Original Barber School, and if the school is not willing to let her in, she would like her hours released. Ms. Mickens has made it clear that she does not have the authority to make that decision. Ms. Williams states that she would like to have her hours released and continue her education somewhere else. Mr. Azzam stated that he would like to have her hours released and they can work out the money later. Mr. Foley asked for legal advice from DAG Harris if the Board can legally release the hours. DAG Harris the Board has a motion on the floor and whatever the Board wants to do is up to them. DAG Harris reminded the Board that the motion on the floor is Mr. Byron made a motion to release the 712 hours and Mr. Azzam seconded the motion. Motion Passed.

Royal Byron – Mr. Byron came before the Board to request approval on a school location. Ms. Maestas stated that Mr. Byron turned in a letter from the planning committee dated February 14. The board looked over the letter. Mr. Chavez had a question for DAG Harris asking advice on this. DAG Harris states that this should be treated as any other request from a licensee. For purpose of the record. Mr. Byron is under an order to pay a fine of \$6000.00, \$15,187.25 for hearing expenses, and \$18,537.85 in Attorney fees for hearings. As of date, the board has not received any payments from Mr. Byron. DAG Harris states that any aspects of the appeal should be left out of the decision making, but and it does stand, Mr. Byron is still under a disciplinary order. Mr. Byron states that DAG Harris did state to not take in consideration that this is in an appeal. DAG Harris states for the record that Mr. Byron has the right to an appeal and the Board should not take in consideration the appeal for any negative impact. Ms. Maestas asked what the address for the location of the site is. Mr. Byron states that the location is 1376 and 1388 Miller Avenue. Ms. Maestas asked for clarification because he gave two addresses. Mr. Byron asked if the board could look on the paperwork and Mr. Foley stated the address was 1437 and 1485 Miller Avenue. Mr. Chavez states that he is not comfortable approving this location because of the ongoing issues and he is not in good standings with the Board at this time. Mr. Byron states he is coming

before this board humbly and he feels this is being done biased. Mr. Foley states that at this time if any other licensee came before this board with not being in good standings with the Board, unbiasedly he would not feel comfortable approving this request. Mr. Azzam states he is not comfortable making this decision also due to the fact that he is not in good standings with the Board. Mr. Byron asked what the reasons for denial are. DAG Harris states this is a discussion and no vote has yet been made. Mr. Foley states again that he would deny anyone with this request if they were not in good standings with the Board. Mr. Byron states with or without the approval of this Board he will build. DAG Harris recommended that any further discussion be with the Board members. Mr. Foley made a motion to deny Mr. Byron's request for the location of a school. Mr. Azzam seconded the motion. Mr. Byron opposed and DAG Harris stated that since this is Mr. Byron's petition he should abstain from voting. The vote was taken it was 3 Board members in favor of denying and 1 Abstained. Motion passed.

Joseph Foley – Mr. Foley came to the Board with website issues. He said during the last licensing period he had individuals complain to him that they were getting lost on the website. He would like to see if we could put a pay now tab on the front page. Mr. Chavez explained that there is a place on the home page to register a portal to pay. Ms. Maestas states that there is a portal set up but she could check with the IT individual and talk to him about trying to make it easier. Mr. Foley said he feels that individuals just don't want to deal with registering a portal. Mr. Foley just wants to see if there is an easier way to do this. Mr. Chavez asked Ms. Maestas what she thought. Ms. Maestas states that she would work with the IT and Mr. Foley on this. Mr. Byron asked if there could be somewhere to submit the pictures. Ms. Maestas states that they just have to upload the photos.

Mr. Foley also wanted to bring up testing in Reno. He states that he worked closely with Legislatures this session. He feels that there is a school in Sparks now and he's trying to get ahead of this before it gets too big. This is just for discussion at this point. He would like to see about hiring 2 additional proctors to do testing in Reno. Mr. Chavez asked Ms. Maestas how many applicants we have testing from the North now. Ms. Maestas states since January 2023 including the May exam, there have been 12 applicants from the North, that's 2.4 applicants per month. Mr. Chavez feels that at this time he does not feel that we need to act on this at this time, but in the future we may need to visit this again. Mr. Foley agrees, he stated that the main complaint is when someone fails the written exam to have to come to Vegas for a written only exam. Mr. Foley states maybe just doing the written exams. Ms. Maestas had questions on logistics of how this would work. Mr. Foley states that as far as today goes he just wanted to put it in everyone's ear and start thinking about it. Mr. Azzam made a motion to continue this discussion for the August meeting, Mr. Chavez seconded the motion. Mr. Byron opposed. DAG Harris states she does not see any conflict with Mr. Foley voting. The vote was 3 to 1. Motion Passed.

NIC Training - Ms. Maestas states that on March 29, 2023 she received a letter from NIC stating that they are holding a mandatory training for any vendor using the NIC test. She states that she emailed and told them she could not commit to this training without approval by her Board. Mr. Foley made a motion to approve Ms. Maestas to attend the mandatory training May 17-19, 2023 in Dallas, TX, Mr. Azzam seconded the motion. No opposed. Motion passed.

Mr. Foley made a motion to deny with the possibility to re petition the Board item numbers 10,11

Mr. Foley made a motion deny with the possibility to leave open the possibility to re-petition the Board item numbers 10, 11, 12, 13, 14, 16, 17, 19 and 21. Mr. Azzam seconded the motion all were in favor. Motion Passed.


Public Comment

Mr. Doug Christensen had the comment, Good Job.

Mr. Royal Byron as a Board member, God don't like Ugly. He would like to have someone give him on the stand point of does he need to take this to a higher court to get approval. DAG Harris states that during public comment it is not the Board's duty to answer questions. Mr. Byron asked if he needed to take this to a higher court. DAG Harris stated that it is not her job to give legal advice to him. Mr. Byron stated, God don't like ugly.


Mr. Foley made a motion to adjourn the meeting, Mr. Azzam seconded and all was in favor. The time was 3:47 P.M.

There being no further business before the Board the meeting was adjourned.

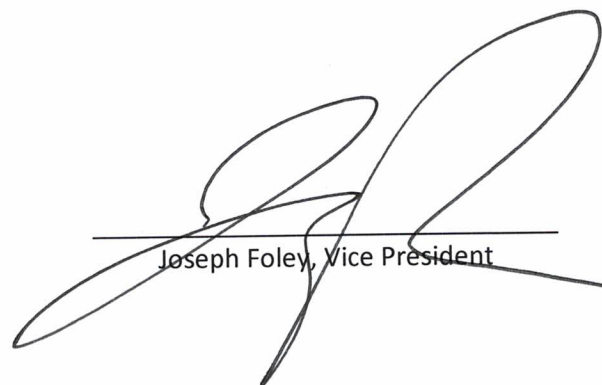
Submitted by: 

Antinette Maestas, Secretary/Treasurer

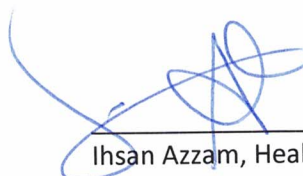
Approved this 6th day of August, 2023, by:



Toby Chavez, President



Joseph Foley, Vice President



Ihsan Azzam, Health Officer



Royal Byron, Board Member